App F IX 4

Previous References.

1953-54 (CH)

File No 3-53-

Serial Nos 38, 47, 58, 67

Later References

CR 26-54-53,54

MYSORE GOVERNMENT SECRETARIAT

Serial Nos 4

P 26 [E]

Part B for March 1954

SUBJECT

Appointment of a Mechanic Foreman by the Mysore city Municipality

WD 03555—GPB—25 000—2 7 53

The Municipal Commissioner Mysore city Municipality (Thro the Dept)

L 15713/ dated 2 3 54

States that the Council may appoint the official selected by the P S C

GPB

Appointment of Mechanic foreman

[App I 111 2

General and Revenue Secretariat

File No 396/mt of 19

CM 3-53 -

WD 02201—GPB—10 000—7 1 53

Serial No	
	From the Municipal Commissioner, Mysore no C8 148 dated 1-4-1953 Requests sanction to renew the post of a Mechanic foreman in grade Rs 100-10 150 in the Municipality for the year 1953-54
	Collection no CM 3-52 (Sls 1 2) Sanctioning the post of a Mechanic foreman in grade Rs 100-10-150 is put up
	2) It is stated that the appointment of the foreman could not be made during 1952-53 ~~could not be made~~ on account of correspondence with Public Service Commission regarding advertising the vacancy in the Gazette and requests sanction for the renewal of the post for the year 1953-54 for taking further action the Municipal Council have resolved on 30-3-53 to renew the post during 1953-54
	Subs for orders.
	hmp 5/5 — 3) Ascertain the Result of correspondence with the P S C
	Sno 7/5 —
	12/5
4	Draft letter put up for approval
—	hmp 15/5 — (5) Issue
	Sno 16/5
	20/5

NOTE-Contn Sheet

File No 396/Mnl of 1953 52 | General and Revenue Secretariat

Serial No

To

The Dy Commr, Mysore
Ano. L a592/CR 3-53-47 dt 26 5 53
Calls for information

From

The Asst Commr Mysore
C8 (48/52-53 dt 3-6-53
Furnishing the information called for

Dis A. 1574/53
DW

6 The report contained in the letter dated 3653 of the Municipal Commissioner is forwarded with reference to para 13 of the Public Service Commission Selection Rules on 10 2 53 B.S Murugendra for the post after advertising the vacancy and requested the Municipal Council to appoint him the Municipal Commissioner now ~~reports~~ requests fresh sanction to the post during 53 54 and proposes to fill up the same after advertisement the reasons assigned for fresh advertisement are that the Selection was made by the Public Service Commission as far back as in October 52 and that a candidate with sufficient experience is to be found. It is also proposed to include 'previous experience' as one of the conditions for Selection and advertise the Vacancy on such

7 It not clear if the Municipal Council feels or suggests that the candidate selected by the Public Service Commission

Serial No

is not Suitable being not well experienced However the reason above is not Sufficient to disregard the candidate already Selected by the Committee and prefer a fresh advertisement and Selection The Simple question would arise why the Municipal Council did, not impose experience as one of the condition previously when the Vacancy was advertised by the Committee and if the present proposal to impose the said condition is not and otherwise the Vacancy already is not an afterthought and plea to disregard the Selection made by the Committee and to Select a fresh candidate, in View of the already Municipal Council

A

& the fundamental issue as to whether the Municipal Council above is compelled to Select a candidate is yet to be finally decided from what is reported in the present letter of the Commissioner & decision on this point is necessary before according Sanction to the post during 53-54 and its proposal of offer fresh advertisement. The Education Secretariat may perhaps be requested to examine this question and give its opinion ~~of the Municipal Commissioner and be asked to~~ from what is Stated

Note —Contn Sheet

Appointment of Mechanic Foreman —
Readvertisement of Vacancies —

File No [illegible] of 195 — General and Revenue Secretariat

Serial No 396 1655

in para 2 of letter under reference it is understood that the Public Service Commission has to select candidates for all non-gazetted posts and that special sanction of Govt is necessary for deviations from this procedure before according sanction to [illegible] from advertisement. In this case it would be necessary to know under what circumstances readvertisement of vacancies may be made and candidates other than those previously selected may be selected. It appears that readvertisement is not admissible ordinarily and specially so when a candidate is once selected after following the procedure

2) After a decision is taken on the above points the question of according sanction to the post during 53 ~~with deputation~~ may be decided

10) The Education Secretariat may also be consulted

Readvisement is not necessary

The selection made by the P S C has to be given effect to by the Govt of Mysore Education Secretariat may however be consulted

Secy (Edn) 21/7

11) Sanction to the post may

WD 01401—GPB—40 000—18 10 52

SECRETARY TO GOVT 3416 21 JUL 1953 DEPARTMENT

Appointment of a Mechanic Foreman

General and Revenue Secretariat | File No 3961/ML 1655-5 of 195 App F III –2]

Serial No

renewed for the year 1953 54 The Municipality may be asked to select the candidate in consultation with the PSC If the PSC insist that the selection always made by them should stand the Mc Council may consider that If on the other hand the PSC agree to re-advertise the Vacancy the wishes of the Mc Council will have been met This is a question on which a decision has to be arrived at between the Mc Council and the PSC All that Govt need be interested in is to see that a candidate approved by the PSC is appointed

Minister / Ch Secy } 24/7 / 13) 27/7

5609 24 JUL 1953

SECRETARY TO GOVERNMENT 3503 25 JUL 1953

25/7

(13) I agree with the

Ag S G Secy

27 7 53

OFFICE OF THE MINISTER FOR PUBLIC HEALTH & LOCAL SELF GOVERNMENT 27 JUL No 2235

27/7

14) Sd with a draft for Consideration

SECRETARY TO GOVERNMENT 3591 27 JUL 1953 Note—Govt Sheet

15) Put up in the letter formation, a copy being sent to PSC for information

38/7 30/7

SB

Appointment of a Mechanic Foreman Mysore City Municipality

165 S/52 File No 6 of 195

General and Revenue Secretariat

Dft for appl

Secy Dept

6/8

16/8 6/8

Issue 6/8

17) Signed Copies are put-up for Communication

7/8 7/8/53

(Supt Gen Br)

18) Memo put up on two copies of the letter for being communicated to Secy, P S C

11/8 11/8

19) Issue 12/8

L 8156/R1 P S Dt 13 8 53 — Communicated to P S C

20) May be returned to Municipal Branch

14/8 14/8

AUS 14/8

To the ~~pet~~ Commr Mysuru ~~city~~ ~~Municipality~~ L 55-46-7 dt 13-3-67 dt 7-8-53 copy to C, S & D & Secy, P S C L 55-46-7 dt 2-8-53, & directs that the ~~govt~~ wish to point out the candidate applied by the P S C should be appointed

WD 01401—GPB—40 000—13 10 52

Mysore City Municipality — appointment of a Pectroun
foreman — Authority competent to Select —
the — candidate

General and Revenue Secretariat — File No — of 195 — App F III_2] 1655 4074

Serial No

Received letter No C2 P R 148/52-53 dated 21 9 53 from the Municipal Commissioner, Mysore — forwards the resolution dated 28/8/53 of the Municipal Council inviting attention to the Articles 320 and 321 of the constitution and requests that the direction given in G.O. dated 11 8 53 be withdrawn etc

21) The letter dated 21 9 53 and the enclosure from the Municipal Commissioner, Mysore, is for perusal with reference to paras 10-19 ante. Such reference is invited to the note at A in para 8 the Education and Law Secretariats may be consulted on the points raised by the Municipal Council as reported by the Municipal Commissioner

22) The remarks of the Education Branch may perhaps be obtained in the first instance

Yours [illegible]
EDU

5/10

5/10

MYSORE GOVT SECRETARIAT 4022/C OCT 5 EDUCATION BRANCH

5/10

23) While framing the P S C Rules and Regulations, the provision made to bring the appts in Municipalities under the purview of the P S C, has been ordered to be deleted as it was decided that to bring the appts in local Bodies like Municipalities etc An enactment should be made in the State Legislature Accordingly the rules relating to Municipalities etc in the Mysore P S C Rules and Regulation have been deleted and the Municipal Branch has been requested to take necessary action in the matter of making

Contn Sheet

Appointment of a Mechanic foreman - Hyderabad City Municipality

Serial No

4022/S

an enactment in that behalf Till such an enactment is made it has to be presumed that the appointments in Municipalities do not come under the purview of the P.S.C

A

Hm 10/10 — 2½ pt Examine - with reference to Constitution whether a separate regulation is necessary to bring these posts within the orbit of the public service commission

17/10

2
1½ x

2) Article 321 of the Constitution reads as follows -

An Act made by parliament or as the case may be, the legislature of a State may provide for the exercise of additional functions by the Union P S C or the State P S C as respects the services of the union or the State and also as respects the services of any local authority or other body corporate constituted by law or of any public institution"

3) From this it is clear that an Act has to be made before bringing the appointments ~~of~~ in Municipalities under the purview of the P S C

Hm 16/10 — 4) The correct position of the matter of issuing "an enactment" referred to in

2 May pl be stated

2
2 x

ALS Pl put

REVENUE SECRETARIAT 20 OCT

WD 01404—GPB 40,000—18-10-52

Serial No

40/1/111

4029/E

28) In the Comprehensive Bill for amending the Corporation Act a provision is proposed to make the Rules of P.S.C. applicable to the Corporation only. The Bill is undergoing Scrutiny in the Legislation Branch.

29) Article 321 of the Constitution quoted at para 25 above seems to require the enactment of a general Law by the State Legislature to bring within the ambit of the P.S.C. Services in the local Bodies. There is no proposal made so far in the Municipal Branch for initiating such a Legislative measure

(30) The above information be — file may be returned to the Education Branch

Under Sec'y
Dan

'M' 25/x

A

20/10

21/x 30) R & P S. Section has no further remarks to offer in this Connection May be returned to Municipal Branch for further necessary action what may be necessary

27/10 31) It would appear necessary that an enactment under Article 321 of the Constitution is necessary to bring all appointments in the local bodies within the ambit of the PSC

2—Contn Sheet

Re Appointments of local bodies to be brought under the purview of the PSC

File No [illegible] of 19

General and Revenue Secretariat (Municipal)

Serial No

4022/S

32) It is seen from paragraph 28 that a comprehensive Bill bringing the appointments of the corporation within the jurisdiction of the PSC is under drafting in the Law Secty

33) No action has so far been taken to bring the appointment of the other local bodies within the jurisdiction of the PSC

4003

28 OCT 1953

34) The Ld Secty will please take immediate action u/s 32 of the Constitution in consultation with the Law Secty and the Chief Secy. for promulgating an enactment (Ordinance, if necessary)

35) For his perusal before referring this to the Ld Minister

Sd/-
28/X

Chief Secy

36) Sd/-
30/X

37) Sd/-
31/X

Ans
Ld Secty

38 Re Para 32 above it is understood that a matter was pending before a Standing Committee. The point for consideration is whether a separate Bill has to be drafted bringing the affairs of other local bodies

GENERAL & REVENUE SECRETARIAT
2 NOV 1953
MUNICIPAL BRANCH

General and Revenue Secretariat

4074 Appt of Mechanic Forman gr I City Mfg File No 11 of 19 App F 112

WD 0:5452—GPB—PZS—40 000—1 10-51

Serial No

738

within the jurisdiction of the PSC. Every effort is being made to draft the Act in such a manner that it may take care of the observations of the Hon'ble Supreme Court in respect of appointments in local bodies in the new as well as existing posts. Perhaps a Resolution of the Council to withdraw the observation of the Hon'ble Supreme Court that Municipal appointments may perhaps be approved by the PSC should be effective.

37) This matter is from the State Legislature, it will be difficult to compel the Mysore City Municipality to adhere to the PSC Rules. But in a recent case of the Corporation, the Law Secy has observed that even the Corporation is bound to follow the rules that are in force vide para 89 of the enclosed file. In these circumstances, the Mysore City Municipality will be requested to reconsider their decision and appoint the official selected by the PSC, without giving room for further correspondence.

Sec M Affs

Please circulate

Sm Sa of the Bar

Secy 27/1

To be CM / 53-54

CS put up

Secy 28/1

1/2/54

Secy

Dy Secy

Chief Secy

(for Secy) Dy Secy 2/2

40) 3/2

41) For approval of the Proposal made in Para 39 and agreed to by the Chief Secy in Para 40

3/2

Minister for Home

SECRETARY'S OFFICE 1 FEB 1954 U.P.A.

3 FEB 1954 16 46

OFFICE OF THE MINISTER FOR PUBLIC HEALTH AND LOCAL SELF GOVERNMENT 4 FEB 1954 No. 5221

Appointment of Mechanic Foreman Mysore City Municipality

File No 4074/mc 17 of 19

General and Revenue Secretariat

Serial No

A draft to Mr Myers's portrait for approval

RS 10/2 Secy 11/2

The letter must be given more detailed reasons I see this letter addressed to Comr Blore Necessary amendment

15/2

A revised draft is forwarded on similar lines for approval

RS 17/2 Secy 17/2

Secy Dept) 15/2

Flag K Lucknow file

Pl Secy

Issue

25/2

19 FEB 1926

25/2

Mr L 5760 a 2/2 for Rs 4

to give myself

B 4/3

Secy 9/3

No L8 148/52 53
Encl One

GENERAL & RETRENCHMENT SECRETARIAT 396 16 APR 1953 MUNICIPAL BRANCH

CM 3-53-38

MUNICIPAL COUNCIL
P B No 17
Mysore Dated 1st April, 1953

FROM

The Municipal Commissioner
CITY MUNICIPAL COUNCIL
MYSORE

SECTARY TO GOVT OF MYSORE 13 APR 1953 L S C DEPTT

To

The Secretary to Government,
L S G and Planning Departments,
Bangalore 1

(Through the President)

Sir,

Subject - Appointment of a Mechanic Foreman

Adverting to G O No L 581-82/CM 3-52-2 dated 8-4-1952 sanctioning the above post in grade Rs 100-10-150 for a period of one year in the first instance and making due provisions therefor in the Budget Estimates of the Municipality during 1952-53 I write to state that the appointment of the Foreman could not be made during the year 1952-53 on account of the correspondence with Public Service Commission regarding advertising the vacancy in the Official Gazette

Due provision has been made in the Budget Estimates of the Municipality for the year 1953-54

In these circumstances, I request you kindly to obtain orders of Government, sanctioning the renewal of the post for the year 1953-54 for taking further action in the matter

A copy of the resolution of the Council passed at their meeting held on 30-3-1953 is enclosed for necessary reference and perusal of Government

Yours faithfully,
S Venkatachalam
Municipal Commissioner

Forwarded with compliments
T Venkata Ramaniah
(T Venkataramaniah)
President

snr

PROCEEDINGS of the Adjourned Budget Meeting of the Mysore City Municipal Council held in the Municipal Offices on 30 3 1953 at 3 p m

---

1264 Special Managing Committee Resolution No 605 14-3-1953 recommending that the provision for the appoint -ment of a mechanic foreman in grade Rs 100-10-150 plus DA be renewed for the year 1953-54, previous experience with regard to qualification being insisted

"Approved The question of appointment being however brought up before the Council "

Sd A Krishnamurthy Rao,
President

Copy

Municipal Commissioner

Appendix F G—1]

SUBJECT Appointment of Mechanic Foreman

Diary No of letter replied to

General and Revenue Secretariat
( )
the 195

Date of issue

Signed by

List of enclosures

Copied by

Examined by

Section C R
File No 3-53
Serial No 47

No 2592 Dt 26-5-53

To The Ht Commr Mysore
thro' PSC

Sir

With reference to your letter no Cg 148/Sc-53 dated 1-4-53 on the above subject I am directed to request you kindly to intimate the result of the correspondence with the P S C re advertising the vacancy in the official Gazette

Y F

for L S G Secy

No C8 148/52-53 Encl 1
En ls

CITY MUNICIPAL COUNCIL,
P B No 17
MUNICIPAL BRANCH
Mysore Dated 3-6-1953

FROM

THE MUNICIPAL COMMISSIONER
City Municipal Council
MYSORE

To

The Secretary to Government,
L S G & Planning Departments,
Bangalore
(Through he President)

Sir,

C M 3-53-58

Subject Appointment of Mechanic Foreman

(1) ith reference to your letter No L 2592 CM 3-53-47 dated 26-5-53 I write to state that he post had been once advertised in the Official Gazette dated 8-9-1952 by the Public Service Commissioner as per letter No 5252 dated 15-9-1952, of the Secretary to Public Service Commissioner (copy enclosed) In response to the notification there were three applications received by the Public Service Commission The Secretary sent a communication on 29-1-53 requesting the Commissioner to be present on 10-2-53 at an interview of the canddidates by the Commission As powers of appointment of posts upto Rs 120/- were within the powers of the Head of the Department, viz , Municipal Commissioner as per Appendix "O' as amended (vide Art 54 of L S R substituted as per G O dated 10-3-52) and the appointment was subject to confirmation under Rule 6A of the Chapter VI of the Mysore City Municipal Rules and Byelaws, a reference was made to the Secretary Public Service Commissions to move the Commission to forward the applications

(2) As by this time the sanction to the post which was only for one year expired, further renewal of the sanction was sought for in this office letter adverted to in your letter under reference In the meanwhile as a reply to the above communication to Public Service Commission, a reference is received from the Secretary, Public Service Commission, enclosing a copy of the letter No E 435 R & P S dated 15-4-52 addressed by the Secretary, Education Department, to the Director of Industries and Commerce re the

procedure to be observed in respect of non-gazetted appointments which are advertised and orders of Government being obtained in case of deviation from the above It is also stated in the letter that Sri B S Annegowda was selected by the Committee at the interview of the 3 candidates conducted by the Commission on 10-2-53 (which the Municipal Commissioner could not attend) and that he might be appointed

(3) As the post was advertised so long ago as September 1952 and as it is proposed to select candidates with sufficient experience, the condition thereof being noted while advertising, a fresh advertisement will be arranged after receipt of Government Orders sanctioning the post

(4) In these circumstances I request that orders of Government may be obtained renewing the post as already requested

Yours faithfully,

N Lakshman Rau

(N Lakshman Rau)
Municipal Commissioner

Forwarded with compliments

T Venkata Ramaiah

(T Venkataramanaiah)
President

Let er No 5252 /PSC dated 15th September 1952 from the Secretary Mysore Public Service Commission, Bangalore, to the Compiler, Mysore Gazette, Bangalore

=====

Vacancy No 380 of Mechanical Foreman

=====

In forwarding herewith an erratum Notification*No 5251/ 52-53 dated 15th September 1952 regarding the above, I am directed to request you to be so good as to cause its public tio in the next two issues of the Gazette

I am to add that the words "B or Special vacancies (reserved for Backward Communities)" may kindly be nserted above vacancy No 380 of Mechanical Foreman (vide this office Notification No 5109/52-53 PSC dated 8-9-1952) before the notification is published in the next issue of the Gazette

===

Memo No 5253/52-53PSC dated 15th September 1952

Copy of the above is forwarded to the Municipal Commissioner, City Municipality, Mysore, ior information

Sd S Devaraj,
Secretary,
Public Service Commission

====

Office of the Mysore Public Service Commission,
"Ballabrooie', Palace Road, High Grounds,
Bangalore

Notification No 5251/52-53 PSC dated 15th September 1952

Erratum

Post of Mechanical Foreman - "Special" vacancy

It is hereby notified that vacancy No.380 of Mechanical Foreman in th Office of the Municipal Commissioner, City Municipality, Mysore, published in Part VI - page 1063 of the Mysore Gazette dated 11-9-1952 is a "Special" vacancy reserved for Backward community candidates only and not 'Open to All Communities preference being given to backward community candidates possessing the prescribed minimum qualification' as published therein

(Sd) S Devaraj
Secretary,
Public Service Commission

======

"copies"

(N Lakshman Rau)
Municipal Commissioner

1 L 5545

Draft. 7-8-53 /em 3-53-67

To

The Municipal Commissioner,
Mysore City Municipality,
(through the President)
M y s o r e

Sir,

Subject - Appointment of a Mechanic Forema

With reference to the correspondence resting with your letter No C8 148/52-53 dated the 3rd June 1953 on the subject mentioned above, I am directed to state that Government agree to your proposal to renew/of the post of the Mechanic Foreman for the year 1953-54 and accordingly are pleased to sanction the renewal of the post

In this connection, Government observe that the Municipality must select a candidate in consultation with the Public Service Commission If the P S C insist that the selection already made by them should stand, the Municipal Council may have to consider that If on the other hand, the P S C agree to the re-advertisement of the vacancy, the wishes of the Municipal Council will have been met This is a question on which a decision has to be arrived at between the Municipal Council and the P S C But Government wish to point out that a candidate approved by the P S C should be appointed

Yours faithfully,

6/8

Secretary to Government,
L S G & Planning Deptt

Memo No. L 5546-7 7-8-53 618

Copy of the above is forwarded to

(1) The Controller, State Accounts Department,
(2) " Secretary, Public Service Commission,
for information (Thro The Commissioner)

for Secretary to Government,
L S G & Planning Deptts.

To Cy. PR 148/52-53

GENERAL 4074 GOVT MUNICIPAL BRANCH

CITY MUNICIPAL COUNCIL
MYSORE B No 17
Mysore Dated 21st September 1953

SECRETARY TO GOVT 24 SEP 1953

FROM

The Municipal Commissioner
CITY MUNICIPAL COUNCIL
MYSORE

To

The Secretary to Government,
L S G and Planning Departments
Bangalore 1

(Through the President)

In sasting

Sir,

Subject Appointment of Mechanic Foreman

With reference to the correspondence resting with your letter No L 5545/CM 3-53-67 dated 7-8-1953 regarding the subject mentioned above, I write to state that the appointment of the Municipal Engineer the Health Officer and similar other officers in Municipal Service are invariably done in consultation with the Government or its Departments The selection or the deputation of the incumbents is actually done by Government

But in the case of appointments like that of a Mechanic Foreman according to law it does not seem to be necessary to select the incumbent in consultation with the Public Service Commission Article 321 of the Constitution empowers the Parliament or the Legislature of the State as the case may be to provide for the exercise of additional functions by the concerned Public Service Commissions as respects the services of the Union or the State and also the services any local authority This position is conceded by the Public Service Commission in the Report for the year 1952-53 para 16 (page 15 of the report) which reads

"Local Bodies Services Article 321 of the Constitution provides for the extension of the functions of the Commission to the services of any local authority or other body corporate constituted by law or of any Public Institution An Act of the Legislature is necessary for extending the functions of the Commission to the services in Local Bodies No such act has so far been passed

For similar reasons the Bangalore City Municipal Corporation is not making such appointments or promotions in consultation with the Commission Therefore the Council was of opinion that, the appointment of a Mechanic Foreman may not have to be done in accordance with the directions of the Public Service Commission and have resolved at their meeting held on ~~30-9-1953~~ 28/8/1953 to invite kind reference to Article 320 and 321 of the Constitution of India and to request the Government to clarify the question so as to enable the Council to take further action in the matter of appointment

Yours faithfully,

(N Lakshman Rau)
Municipal Commissioner

Forwarded with compliments

T Venkataramaniah

(T Venkataramaniah)
PRESIDENT

Proceedings of the Ordinary meeting of the Mysore City Municipal Council held on 28-8-1953 at 4 p m

---

625 Letter No L 5545/CM 3-53-63 dated 7-8-1953 from the Secretary to Government, L S G and Planning Department, conveying sanction to the renewal of the post of the Mechanic Foreman for the year 1953-54 and observing that the Municipality should select a candidate in consultation with the P S C etc and pointing out finally that a candidate approved by P S C should be appointed and office note thereon

Kind attention of Government may be invited to Article 320 and 321 of the Constitution of India according to which appointments to Local Bodies need not be made as per rules of recruitment laid down by the Public Service Commissioner, in the absence of any enactment empowering the Public Service Commission to exercise any such power The Government may therefore be requested to withdraw the observation made in this behalf

Sd T Venkataramaniah,
President

No C2 P R 148/52-53
Enc

CITY MUNICIPAL COUNCIL
P B No 17
Mysore Dated 23-1-54

FROM

The Municipal Commissioner
City Municipal Council
MYSORE

To

The Secretary to Government,
L S G & Planning Departments,
Bangalore-1

Sir,

Subject Appointment of Mechanic foreman

I write to invite your kind reference to this office letter of even No Dated 22-9-53 on the above subject, and request that orders of the Government may kindly be obtained and communicated to me early

Yours faithfully,

(N Lakshman Rau)
MUNICIPAL COMMISSIONER

PSK

23/1

Appendix F G—1]

SUBJECT

Section

File No

Serial No

No L 15313/2-3-82

To MC Mysore thro' Proper Channel

Appln of weekly Forms

Sir I have to correspondence ending with your letter C2 PL 148/52-53 dt 21st Sept L 53 forwarding a resolution and I have on the above subject I am directed to state that Govt Art 313 of the Constitution whereby the laws that were immediately in force immediately before the Commencement of Constitution and applicable to any public service or posts shall continue in force as far as they are consistent with the provisions of the Constitution

Diary No of letter replied to

Mysore Government Secretariat

( )

the *195*

Date of issue

Signed by

List of enclosures

Copied by

Examined by

WD 03545—GPB—40 000—25-6-53

The rule of reservation was applicable to all boards and though there is no enactment subsequent to a framing of Constitution of P S C rule has to be adhered to for the reason explained above. So the appointment of Mechanic for which reference to a Rule of Recruitment will not be in order. I am therefore to request you that a panel of may reconsider their decision and appoint one of final selected by a P S C without going from the panel recommended

25/2

19/2

Secy to Govt
Dept of Planning

4/3/54

14

15213

Municipal Branch,
2 March 54

The
L G & Planning Departments

The Municipal Commissioner,
Mysore City Municipality,
(through the President)

Sir,

Subject - Appointment of Mechanic Foreman

With reference to the correspondence ending with your letter No C2 PR 148/52-53 dated the 21st September 1953 forwarding the resolution of the Municipal Council on the above subject, I am directed to state that under Art 313 of the Constitution of India, the laws that were in force immediately before the commencement of the Constitution and applicable to any public service or posts shall continue in force as far as they are consistent with the provisions of the Constitution The rules of recruitment were applicable to all bodies and though there is no enactment subsequent to the framing of the Constitution, the Public Service Commission rules have to be adhered to for the reason explained above So the appointment of a Mechanic Foreman without reference to the Rules of Recruitment will not be in order I am therefore to request that the Municipal Council may reconsider their decision and appoint ~~the~~ official selected by the Public Service Commission

Yours faithfully,

(V Hanumanthappa)
for Secretary to Government,
L S G & Planning Departments

LIS 2 2/3